

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	<b>Nos. 00-CR-0046-04</b>
JOSEPH CORDO,	:	<b>&amp; 04-CV-</b>
Defendant.	:	<b>(Judge Caldwell)</b>
	:	<b>FILED ELECTRONICALLY</b>

**ORDER**

AND NOW, this \_\_\_\_ day of March, 2005, upon motion of the defendant for a one-week extension of time to file a reply brief in support of his motion under 28 U.S.C. § 2255, with certificate of concurrence, and for good cause shown, IT IS ORDERED that the defendant's motion is GRANTED. Defendant may file a reply brief in support of his § 2255 motion on or before March 17, 2005.

BY THE COURT:

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WILLIAM W. CALDWELL  
Senior U.S. District Judge

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	:	
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	:	<b>&amp; 04-CV-</b>
JOSEPH CORDO,	:	<b>(Judge Caldwell)</b>
	:	
Defendant.	:	<b>FILED ELECTRONICALLY</b>

**DEFENDANT’S MOTION FOR ONE-WEEK EXTENSION OF TIME  
TO FILE REPLY IN SUPPORT OF MOTION UNDER 28 U.S.C. § 2255,  
WITH CERTIFICATE OF CONCURRENCE**

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The defendant, Joseph M. Cordo, moves this Court, with the concurrence of the United States, for a one-week extension of time to file his reply brief in support of his motion for relief under 28 U.S.C. § 2255, and in support states:

1. On November 17, 2004, defendant filed a motion to vacate sentence under 28 U.S.C. § 2255.
2. In accordance with the briefing schedule later set by this Court, he filed defendant filed his memorandum of law in support of that motion on February 10, 2005.
3. The government filed its opposition to the § 2255 motion on February 18, 2005.
4. Under this Court’s LR 7.7 and Fed.R.Crim.P. 45(c), defendant’s reply brief is due for filing on or before Thursday, March 10, 2005.
5. Due to the unexpected denial of an application for extension of time,

counsel for the petitioner-defendant has a petition for certiorari in a direct criminal appeal due in the Supreme Court of the United States on the same day as Mr. Cordo's reply, to wit, March 10, 2005. Counsel cannot manage to file both on time.

6. Certificate of Concurrence. On March 9, 2005, the attorney for the government, AUSA Kim D. Daniel, informed a paralegal for the undersigned that the government did not oppose a one-week extension of time for the filing of defendant's reply, as sought by this motion.

WHEREFORE, defendant prays that this Court grant him a one-week extension of time, to and including March 178, 2005, to file his reply in support of his motion under 28 U.S.C. § 2255.

Dated: March 9, 2005

Respectfully submitted,

*s/Peter Goldberger*  
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Attorney for Defendant Cordo

#### CERTIFICATE OF SERVICE

On March 9, 2005, I served a copy of the foregoing document on the attorney for the government, by electronic delivery, addressed as follows:

Kim Douglas Daniel, Esq.  
Assistant U.S. Attorney  
P.O. Box 11754  
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[kim.daniel@usdoj.gov]

*s/Peter Goldberger*